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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2020-

**AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO A
MULTI-YEAR EMERGENCY CONTRACT UP TO \$1,750,000.00 FOR
COMPUTER-BASED EXAMINATIONS FOR THE DRINKING WATER AND
WASTEWATER OPERATOR CERTIFICATION PROGRAMS**

WHEREAS:

1. The State Water Resources Control Board (State Water Board) Board is responsible for the Drinking Water Operator Certification Program pursuant to Article 3 of chapter 4 of part 1 of division 104 of the Health and Safety Code, which certifies water treatment and water distribution operators;
2. The State Water Board is responsible for the administration of the Wastewater Operator Certification Program pursuant to Chapter 9 of division 7 of the Water Code, which certifies wastewater treatment plant operators;
3. Examination and certification of water treatment, water distribution, and wastewater treatment plant operators is imperative to ensure the essential functions of safe and effective operation of water treatment plants, water distribution systems, and wastewater treatment plants can continue, thereby protecting public health, safety, and the environment;
4. The State Water Board traditionally conducts approximately 11,500 in-person Operator Certification examinations per year;
5. As a result of the Coronavirus 2019 (COVID-19) emergency, Centers for Disease Control and Prevention (CDC) issued guidelines for limitations of group sizes to 10 individuals or less, and California's Governor Newsom signed executive order N-33-20 on March 19, 2020, prohibiting all non-essential gatherings;
6. The State Water Board's 2020 Operator Certification examinations were cancelled due to the COVID-19 emergency, CDC guidelines, and executive order N-33-20;
7. Computer based testing centers can provide testing services that address COVID-19 safety measures, while increasing the availability of testing opportunities, thereby allowing Operator Certification examinations to resume and expand availability;
8. The current inability to certify new operators and certify existing operators at a higher grade as a result of COVID-19 poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, and essential services; and

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9. An emergency contract for administering computer-based Operator Certification examinations is necessary for the immediate preservation of the public health, welfare, and safety by ensuring that there are sufficient certified operators to safely run water distribution systems, water treatment plants, and wastewater treatment plants.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director or designee to enter into an emergency multi-year contract up to \$1,750,000.00 for the administration of computer-based operator certification testing for the Operator Certification Program.
2. Designates the Executive Director, or designee as the duly authorized representative of the State Water Board for the purpose of making a final determination of any dispute arising under or relating to the performance of the contract.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 15, 2020.

Jeanine Townsend
Clerk to the Board